

By: Guillen

H.B. No. 933

A BILL TO BE ENTITLED

AN ACT

relating to the testing of autonomous motor vehicles; creating a border security pilot program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 82, Civil Practice and Remedies Code, is amended by adding Section 82.009 to read as follows:

Sec. 82.009. AUTONOMOUS MOTOR VEHICLES. (a) In this section, "autonomous motor vehicle" has the meaning assigned by Section 545.428, Transportation Code.

(b) The manufacturer of a motor vehicle is not liable for damages resulting from any of the following actions unless the defect from which the damages resulted was present in the motor vehicle when the motor vehicle was manufactured:

(1) the conversion or attempted conversion of the vehicle into an autonomous motor vehicle by a person other than the manufacturer;

(2) the installation of equipment in the vehicle by a person other than the manufacturer to convert the vehicle into an autonomous motor vehicle; or

(3) the modification by a person other than the manufacturer of equipment that was installed by the manufacturer in an autonomous motor vehicle specifically for using the motor vehicle in automatic mode.

(c) A subcomponent system producer is not liable in a

1 products liability action for damages resulting from the
2 modification of equipment installed by the subcomponent system
3 producer to convert a motor vehicle to an autonomous motor vehicle
4 unless the defect from which the damages resulted was present in the
5 equipment when the equipment was installed by the subcomponent
6 system producer.

7 SECTION 2. Subchapter F, Chapter 521, Transportation Code,
8 is amended by adding Section 521.1236 to read as follows:

9 Sec. 521.1236. DESIGNATOR ON LICENSE ISSUED FOR OPERATING
10 AUTONOMOUS MOTOR VEHICLE. The department shall establish a program
11 to provide an autonomous motor vehicle operation designation either
12 on the face of a driver's license or on the reverse side of the
13 driver's license issued to a person who is authorized to operate an
14 autonomous motor vehicle under Section 545.428.

15 SECTION 3. Section 541.001(1), Transportation Code, is
16 amended to read as follows:

17 (1) "Operator" means, as used in reference to a
18 vehicle, a person who drives or has physical control of a vehicle,
19 except as provided by Section 545.428(b).

20 SECTION 4. Subchapter I, Chapter 545, Transportation Code,
21 is amended by adding Section 545.428 to read as follows:

22 Sec. 545.428. OPERATION OF AUTONOMOUS MOTOR VEHICLES;
23 BORDER SECURITY PILOT PROGRAM. (a) In this section:

24 (1) "Autonomous motor vehicle" means a motor vehicle
25 that is capable of using autonomous technology to operate itself
26 without the active control or continuous monitoring of a person.

27 (2) "Autonomous technology" means technology

installed on a motor vehicle enabling the vehicle to operate
without the active control or continuous monitoring of a person.
The term does not include, except to the extent that such a system
may be a component of autonomous technology, individual safety
systems or driver assistance systems that enhance safety or provide
driver assistance, but are not individually capable of operating a
motor vehicle without the active control or continuous monitoring
of a person, such as systems designed to provide:

(A) collision avoidance;

(B) electronic blind spot assistance;

(C) crash avoidance;

(D) automated emergency braking;

(E) parking assistance;

(F) adaptive cruise control;

(G) lane keep assistance;

(H) lane departure warning; or

(I) traffic jam and queuing assistance.

(3) "Upfitter" means a person who modifies a motor
vehicle after manufacturing to convert the motor vehicle into an
autonomous motor vehicle.

(b) An operator of an autonomous motor vehicle operating
with autonomous technology is:

(1) a person who causes the vehicle's autonomous
technology to engage, regardless of whether the person is
physically in the autonomous motor vehicle while the vehicle is
operating; or

(2) a person who is seated in the driver's seat of the

autonomous motor vehicle and continuously monitors the operation of the autonomous motor vehicle.

(c) A person may not operate an autonomous motor vehicle on a roadway or public highway under Subsection (b) unless:

(1) the person holds a driver's license with an autonomous motor vehicle designation under Section 521.1236; and

(2) the person is an employee, contractor, or designee of:

(A) the department;

(B) a manufacturer of autonomous motor vehicles authorized by the department to operate autonomous motor vehicles; or

(C) an upfitter authorized by the department to operate autonomous motor vehicles.

(d) An autonomous motor vehicle may be operated without the active control of an operator, but the operation of the autonomous motor vehicle must be continuously monitored by an operator who is seated in the driver's seat of the vehicle and is able to immediately assume active control over the vehicle.

(e) A person may not disable motor vehicle safety features that are required by state and federal law during installation of autonomous technology on a motor vehicle or operation of an autonomous motor vehicle.

(f) The department shall adopt rules authorizing the operation of autonomous motor vehicles on roadways and public highways, including rules:

(1) establishing minimum requirements that an

autonomous motor vehicle must meet before the vehicle may be operated on a roadway or public highway;

(2) establishing insurance requirements for:

(A) autonomous motor vehicle operators;

(B) manufacturers of autonomous motor vehicles operating autonomous motor vehicles; and

(C) upfitters operating autonomous motor vehicles;

(3) governing the safe operation of autonomous motor vehicles on roadways and public highways;

(4) establishing a method of authorizing manufacturers of autonomous motor vehicles and upfitters to test autonomous motor vehicles and governing the testing of autonomous motor vehicles;

(5) restricting the operation of autonomous motor vehicles to certain geographic regions of this state; and

(6) establishing a pilot program for the department to collaborate with autonomous motor vehicle manufacturers and upfitters to test the use of autonomous motor vehicles for border security purposes.

SECTION 5. Section 82.009, Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2015.